



# TOWN OF KNIGHTDALE

## PLANNING DEPARTMENT

[www.knightdalenc.gov](http://www.knightdalenc.gov)

950 Steeple Square Court  
Knightdale, NC 27545  
(v) 919.217.2241  
(f) 919.217.2249

**ORD #11-09-21-002**  
**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE**  
**OF THE TOWN OF KNIGHTDALE,**  
**REGARDING TECHNICAL EDITS AND CLARIFICATIONS OF INTENT FOR CHAPTERS 7 AND 8**

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 7 (Open Space) and Chapter 8 (Tree Protection and Landscaping) of the Unified Development Ordinance with technical edits for consistency of language and referencing, clarifications of intent and interpretation, further definition of broad terms, addition of exemplary graphics and photos, and the removal of redundant text, as well as the amendment of other remaining chapters of the Unified Development Ordinance affected by the proposed amendments to chapters 7 and 8, such as updating code section references and locations as well as adding/amending definitions (Chapter 19) for consistency; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because they are reasonable in that they advance the stated objectives of promoting the development of a cohesive community network of readily identifiable social, cultural and recreational gathering spaces and to preserve the natural environment and encourage conscientious development in regards to it by improving the clarity and consistency of the UDO's language and formatting in these relevant chapters, as well as being furthermore consistent with the Comprehensive Plan's stated goal of providing responsible urban design, planning and development and protection of the Town's natural resources;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows (*editing notes in parenthetical italics*):

*(See Attachments for Chapters 7 & 8)*

### **Section 4.5 Containment Areas for Trash and Recyclables**

- G.** Enclosures shall also be screened with landscaping in accordance with the standards of Section 8.7C.

## **Section 4.7B Apartment, Mixed-Use, Civic, Institutional or Commercial (All Districts Except MI) Building Types**

### **4. Exceptions:**

- a.** Fences used in conjunction with ball fields are exempt from the preceding requirements.
- b.** Fences used in conjunction with recreational open space on lots with civic or institutional building types may be wood or a material similar in appearance and durability.
- c.** Engineered retaining walls necessitated by severe topography (slopes) are not subject to the height limitations of this section.

## **Section 6.3 Neuse River Basin Riparian Buffers (NRBs)**

Both the corporate limits and the ETJ of the Town of Knightdale fall completely within the Neuse River basin and are therefore subject to the riparian buffer rules as governed by North Carolina Administrative Code (NCAC), Title 15A, Chapter 2, SubChapter B as may be amended from time to time.

NRBs are a form of open space, and as such, may only be retained in private ownership if the necessary conservation easements are recorded with the Wake County Register of Deeds in a form approved by the Town. Otherwise, NRBs shall be separately deeded to a homeowner's association, a non-profit land trust or conservancy, Wake County, or the Town of Knightdale (upon approval by the Town Council). NRBs cannot be located on any single-family residential building lot (detached or attached) within a major subdivision as defined in Section 15.8. In general terms, NRBs in major subdivisions must be platted as separate lots where the responsibility of maintaining (in a natural state) said riparian buffers in perpetuity is typically designated to a homeowners association or non-profit land conservation agency. Lots that have received Preliminary Plat approval (*Section 15.6*) prior to March 1, 2010 shall be exempt from this requirement.

## **Section 6.4D Stormwater Best Management Practices Manual**

### **Section 13.8 Nonconforming Landscaping, Screening, and Lighting**

- A.** If there is a change of use, or if there is an expansion to the heated square footage of an existing use by more than 25%, the lot shall fully comply with all street yard landscaping, and screening requirements.
- B.** Expansions to the vehicle accommodation areas which increase the total area by more than 25% shall be required to comply with all applicable vehicle accommodation area screening and parking lot landscaping.
- C.** Outdoor light fixtures installed prior to the effective date of this Ordinance are exempt from the provisions of Chapter 11, provided that no change in use, replacement, and structural alteration of outdoor light fixtures shall be made unless it conforms to the provisions of this Ordinance.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 21<sup>st</sup> day of September, 2011.

ATTEST:

---

Russell B. Killen, Mayor

---

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

---

Clyde Holt, III; Town Attorney